

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

**SPECIAL SESSION
December 1, 2004**

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened in Special Session at 8:30 a.m., December 1, 2004, in the Sullivan Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Andy Kunasek, Chairman, District 3; Fulton Brock, District 1; Don Stapley, District 2, Max W. Wilson, District 4, and Mary Rose Wilcox, District 5. Also present, Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain)

EXECUTIVE SESSION CALLED

Motion was made by Director Brock, seconded by Director Stapley, and unanimously carried (5-0) to recess into executive session, in the Tom Sullivan Conference Room, 301 West Jefferson, for the purpose of reviewing matters listed below pursuant to the listed statutory references.

LEGAL ADVICE; SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – ARS §38-431.03(A)(3) and (A)(4)

Smith v. Winkleman, CV 2004-2-0200778 and Arizona State Land Department – Easement Dispute

Tim Phillips, Acting Chief Engineer and General Manager, FCDMC

Julie Lemmon, General Counsel, FCDMC

Mike Frazelle, Special Counsel for FCDMC

MEETING ADJOURNED

After considering the above items, and there being no further business to come before the Board, the meeting was adjourned.

Andrew Kunasek, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board